

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker	Executive Lead Member for Children's Services
Date:	22 September 2023
Title:	Hampshire Youth Justice Service Youth Justice Plan 2023
Report From:	Director of Childrens Services.

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Purpose of this Report

1. The purpose of this report is to present the Hampshire Youth Justice Service Youth Justice Plan 2023/24 to the Executive Lead Member of Children's Services. The report requests that the Executive Lead Member of Children's Services recommends that the Hampshire Youth Justice Service Youth Justice Plan 2023/24 is presented to Full Council for approval of the Plan. The Plan is attached to the report. The approval of the Plan by Full Council is required in accordance with 'Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

Recommendation

2. That the Executive Lead Member for Children's Services considers the Hampshire Youth Justice Service Youth Justice Plan 2023/24 and recommends it be presented to Full Council for approval of the Plan.

Executive Summary

3. This report seeks to provide a covering report to the Plan. It does not replicate the detail in the Plan but to provide additional context. This context will refer to the specific sections in the Plan. These include: the child first principles, service priorities, the service delivery plan, finance and performance.

Contextual information

4. The Youth Justice Plan is a statutory requirement under the 1998 Crime and Disorder Act each year and is necessary in order to release payment of our annual grant. The 2023/24 plan was submitted to the Youth Justice Board on the 30 June 2023 following full consultation with our partners.
5. The Youth Justice Board is the oversight authority to all Youth Justice Services in England and Wales. It sits within the Ministry of Justice. The plan

is written within a set format which is provided by the Youth Justice Board and a link is provided here: [Youth justice plans: guidance for youth justice services - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612226/youth-justice-plans-guidance-for-youth-justice-services.pdf)

6. The purpose of the Youth Justice Service is to work with children in order to support them to avoid offending and reoffending. It achieves this through its statutory partnership with other agencies: Police, Local authority, Health and Probation. Under the crime and disorder act these partnerships are hosted by the Local authority and in most services, this is within Children's Services.
7. Underpinning the work undertaken with children is the Child First principle. This has four tenants which guides all the Youth Justice Service's work. These are replicated here:
 - Prioritise the best interests of children and recognising their needs, capacities, rights and potential. All work is child-focused, developmentally informed, acknowledges structural barriers and meets responsibilities towards children.
 - Promote children's individual strengths and capacities to develop their pro-social identity for sustainable desistance, leading to safer communities and fewer victims. All work is constructive and future-focused, built on supportive relationships that empower children to fulfil their potential and make positive contributions to society.
 - Encourage children's active participation, engagement, and wider social inclusion. All work is a meaningful collaboration with children and their carers.
 - Promote a childhood removed from the justice system, using pre-emptive prevention, diversion, and minimal intervention. All work minimises criminogenic stigma from contact with the system.

Evidence as to how this translates into practice is detailed in the first section of the Youth Justice Plan and is a theme throughout.

8. To achieve its purpose Hampshire Youth Justice Service works with children in three ways:
 - 1) Those who are given a statutory outcome through court or the partnerships of the Joint Decision-Making Panel.
 - 2) By providing diversionary outcomes, these outcomes include our Youth diversion programme and interventions attached to Community Resolutions and mean that children are not criminalised by their behaviour.
 - 3) The provision of the Youth Crime prevention service to children who are at risk of coming to the attention of the police. Appendix One provides details of the outcomes and full detail is provided in section 10 of the Plan.
9. To support the achievement of successful outcomes, Hampshire Youth Justice Service provides a range of internal interventions which children are referred to. These include our specialist Education Training and Employment team, the Restorative Justice team, and Parenting Officers. In addition, there are our CAMHs nurses and Police officers provided by our partners. Finally, children can also access the Therapeutic Wellbeing Officers service provided by the Integrated Commissioning Board (ICB) more detail is provided in the

priorities section 10 of the plan.

10. The ultimate sanction for any child is a sentence of youth detention. Over the previous years the numbers have reduced considerably to a national figure of approximately 500 children. This reduction has been replicated in Hampshire. To prevent detention, children are actively diverted away from being remanded and sentenced by the provision of robust alternatives. In addition, when children are released, there is a constructive resettlement pathway. This is all detailed within the priorities section of the plan.
11. Section 15 of the plan highlights the identified areas which will form the Service Delivery Plan for 2023/24. These are the areas which Hampshire Youth Justice Service will be concentrating on in the next year. This plan follows on naturally from the issues highlighted in content of the Youth Justice Plan. Currently the staff group are working on the underpinning detail to this plan.

Finance

12. Within section 7 of the plan there is a detailed breakdown of how the Youth Justice Service is financed, this is a mixture of cash contributions from the Youth Justice Board and Children's Services, and the provision of staffing from Police, Probation and Health. This totals an overall budget of £3.9 million.

Performance

13. The Youth Justice Service currently has three provided indicators which are reported on quarterly. This is the number of first-time entrants (FTE), the number of children who reoffend and the number of children in custody. The figures provided in the Plan are the latest figures available at the time. We also have a range of local indicators. Further, during the coming year the Youth Justice Board have identified an additional 10 indicators to be reported on. Full details are in sections 8 and 9 of the plan.
14. From 2024 there is a new inspection programme provided by HMIP. It is envisaged that Hampshire, who was last inspected in 2018, could be one of the first to be inspected.

Consultation and Equalities

15. Consultation on the plan with the Youth Justice Partnership Board is required as part of the Plans development. This was undertaken and this consultation is reflected in the content of the plan.
16. Whilst there is no direct impact on equalities, it is a requirement for the Youth Justice Service to provide a breakdown of the staff groups profile as part of the grant agreement process.

Climate Change Impact Assessment

17. Not undertaken for the purposes of this report

Other Key Issues

18. None identified for this report.

Conclusions

19. This report provides the context for Hampshire Youth Justice Plan for 23/24. In doing so it references specific sections of the Plan and enables full council it to be able to endorse the plan.

Recommendation

20. That the Executive Lead Member for Children's Services considers the Hampshire Youth Justice Service Youth Justice Plan 2023/24 and recommends it be presented to Full Council for approval of the Plan.

Appendix 1

List of disposals managed by Hampshire Youth Offending Team

1) Orders Imposed by the Court

Referral Orders (ROs)

A Referral Order requires the child to attend a panel (made up of two members of the local community and a YOT member of staff). The panel meets and agree a contract, for a period of between three months and a year.

The aim is for the child or young person to make up for the harm they have caused. An order *must* be imposed for a first offence where the child has pleaded guilty (unless the court decides that another sentence is justified) and may be imposed in other circumstances.

Youth Rehabilitation Orders (YROs)

A Youth Rehabilitation Order is a community sentence. It can include one or more requirements that the child must comply with and can last for up to three years. Some examples of the requirements that can be imposed are a curfew, supervision, unpaid work, electronic monitoring, drug treatment, mental health treatment and education requirements.

Custodial Sentences (DTO/Sec90/91)

Children can receive custodial sentences. It is a sentence to be avoided as far as possible. When they are given, they aim to provide training and education and rehabilitate the offender, so they do not reoffend. Sentences can be spent in secure children's homes, secure training centres and young offender institutions.

2) Orders imposed by the Joint Decision-Making Panel

Youth Caution (YC)

Where the child admits the offence, but an intervention is not assessed as required. They can however engage voluntarily should they so wish for a period of 12 weeks.

Youth Conditional Caution (YCC)

A YCC is given where a child admits the offence and it is assessed they need an intervention. This intervention is 16 or 20 weeks in length and is delivered by the YOT. If they do not comply, they can be sent back to court and resented for the original offence.

Youth Diversion Programme (YDP)

This is offered to the child by a Joint Decision-Making Panel (JDMP). Unlike all the above, the child is not considered as a First Time Entrant (FTE). The length of intervention is 16 weeks and if they do not comply, they are referred back to JDMP for reconsideration.

3) Youth Crime Prevention

This is a voluntary intervention offered by the Youth Offending Team. In other Local Authorities this can be delivered by other parts of the Local Authority. There are two routes for a child to gain access: The first is direct referral from other agencies and the second.


REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Direct links to specific legislation or Government Directives	
Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000	<u>2000</u>

Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
Youth Justice Plan 2023/24	 HAMPSHIRE YOUTH JUSTICE PLAN 23-24

EQUALITIES IMPACT ASSESSMENT:

Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Equalities Impact Assessment:

The decision to endorse the Hampshire Youth Justice Plan 2023-24 will have no direct impact on groups with protected characteristics. The plan itself has been consulted on during its development and a primary area for attention in the plan is to enhance the delivery of youth justice service taking into account all groups with protected characteristics.

CLIMATE CHANGE IMPACT ASSESSMENTS

Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.

The carbon mitigation tool and/or climate change adaptation tool were not applicable because the decision relates to a programme and is strategic in nature.